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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH—CENTRAL DIVISION

Kristy Johnson,

Plaintiff

v.

Dr. Melvin Kay Johnson,

Defendant

Answer

Case No. 2:18-cv-00511-BCW

Brooke C. Wells, Magistrate

ANSWER

Defendant, by and through his attorney of record, hereby answers Plaintiff's Complaint as follows:

1. Defendant admits the statements contained in paragraphs 1 - 5 of the Complaint.
2. As to paragraph seven, Defendant admits that he was an employee of the LDS church CES, but denies that has any relevance to the instant case.
3. The Defendant admits generally to inappropriate sexual conduct with the plaintiff while they lived in California. However, he denies any such conduct occurred in Utah or before they moved to California.
4. The Defendant denies that the LDS church or CES had anything to do with his inappropriate behavior or that it ever occurred on church-owned or -controlled property. Once the church found out about his behavior, he was fired from his job and excommunicated. The excommunication lasted for three years.
5. The Defendant denies all the remaining statements contained in the Complaint.

AFFIRMATIVE DEFENSES

First Affirmative Defense—Statutes of Limitations

Plaintiff's claims are barred in whole or in part by the applicable statutes of limitations.

Second Affirmative Defense--Laches

The actions of which the Plaintiff complains allegedly took place over 32 years ago. Delaying to take action until now is unreasonable and will severely and materially hinder the Defendant's ability to defend himself.

WHEREFORE, based on the foregoing, the Defendant requests that the Complaint be dismissed with prejudice, that the Plaintiff take nothing thereby, and that the attorney's fees and associated costs he incurs in this matter be awarded to him.

Dated August 16, 2018.

/S/ Craig M. Bainum

I hereby certify that on this date I electronically filed the foregoing* with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

Craig K. Vernon

Dated August 16, 2018.

/S/ Craig M. Bainum